REMARKS

It is respectfully requested that the present Reply be entered into the Official File in view of the fact that the Reply automatically places the application in condition for allowance. This is because all rejections in the outstanding Office Action are rendered moot with the amendments herein. Thus, the present Reply is believed to be in proper form for placing the application in condition for allowance.

Also, the amended claims present no new issues requiring further search or consideration because claims of the same or similar scope have previously been presented and subsequently examined.

In the alternative, if the Examiner continues with the rejections of the present application, it is respectfully requested that the present Reply be entered for purposes of an Appeal. The Reply reduces the issues on appeal by reducing the number of claims since several claims are canceled, and/or overcoming the rejections under 35 U.S.C. § 112, first paragraph. Thus, the issues on appeal would be reduced.

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims.

Status of the Claims

In the present Reply, claims 34, 35, 37, 40, 42-49, 52-56 and 59 have been amended by deleting the term "hydrate". Also, claims 74-83 are herein canceled without prejudice or disclaimer of the subject matter contained therein (since the claims being canceled are the same

as those pending). Claims 1-33, 36, 38, 39, 41, 50 and 51 were previously canceled. Thus, claims 34, 35, 37, 40, 42-49 and 52-73 are pending in the present application.

No new matter has been added by way of these amendments, since subject matter is actually being deleted. Further, the canceled subject matter is reflected in the amended claims. Therefore, no new matter has been added with the amended claims.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw the objections and rejection, and allow the currently pending claims.

Issues Under 35 U.S.C. § 112, First Paragraph

Claims 34, 35, 37, 40, 42-49 and 52-83 stand rejected under 35 U.S.C. § 112, first paragraph, for asserted lack of enablement with respect to the term "hydrates".

With the cancellation of the disputed subject matter, this rejection is rendered moot. Thus, withdrawal of this rejection is respectfully requested.

Applicants further note that previously pending claims 74-83 did not recite a hydrate, and should not have been at issue.

Issues of Double Patenting/Claim Objections

It appears that the Examiner is forming claim objections on pages 9-10 of the Office Action, though the Office Action labels these objections as "Double Patenting" (on page 8 of the

Office Action). Further, the Examiner mentions the statute of 35 U.S.C. § 101 at the bottom of page 8 and the top of page 9 of the Office Action.; however, § 101 is not cited thereafter. If there is a rejection here, Applicants respectfully request issuance of a new, non-Final Office Action. The issues on pages 9-10 of the Office Action are addressed below.

The Examiner states that claims 74, 75, 76 and 78-83 are substantial duplicates of other pending claims. Applicants respectfully traverse since the claims differ in scope by the recitation of "hydrate". Applicants also submit that this issue is rendered moot with the cancellation of claims 74-83.

With regard to claim 77 (see page 9, lines 9-13 of the Office Action), this claim is canceled which renders the objection moot. With regard to page 9, starting at line 15 of the Office Action, claim 77 has been canceled.

Withdrawal of all objections/rejections is respectfully requested.

Conclusion

In view of the above remarks and amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: JUL 5 2005

Respectfully submitted,

By _____
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